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Report of the United Nations High Commissioner for Human Rights

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Report of the United Nations High Commissioner for Human Rights

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I. Introduction

1. The present report provides an overview of the activities undertaken by the Office of the United Nations High Commissioner for Human Rights (OHCHR) since the reports to the General Assembly in 2009 (A/64/36) and to the Human Rights Council in 2010 (A/HRC/13/26). The Office's work under the six thematic priorities of the strategic management plan for 2010-2011 is reflected throughout the report.[1]

2. Developments in the work of the Human Rights Council, the universal periodic review and initiatives for the harmonization of treaty bodies' working methods offer opportunities to strengthen the international protection system. The upcoming review of the Council[2] will enable Member States to strengthen the effective protection of human rights everywhere and to maximize the critical potential of this intergovernmental body. Avenues to strengthen the new universal periodic review mechanism with a view to effectively meeting its intended objective of improving the human rights situation on the ground should also be explored.

3. The overview of developments related to human rights field presences, rapid response deployment and support to ad hoc independent international commissions of inquiry, fact-finding missions and similar processes mandated by the Human Rights Council or the Secretary-General show the range of OHCHR activities in the field. The interdependence between the realization of human rights and of the Millennium Development Goals is equally highlighted.

4. The report also presents the continued efforts of OHCHR to consolidate partnerships with Governments and civil society as well as within the United Nations system and with regional organizations in the context of peacekeeping, peacebuilding, development and humanitarian work.

II. Human Rights Council

A. Regular and special sessions, including subsidiary mechanisms

5. The Office has continued to substantively support and assist the Human Rights Council and its subsidiary bodies, which meet for approximately 35 weeks per year in various formats. During the reporting period, the Council sought to respond to country-specific as well as thematic human rights emergencies. It held two special sessions: in October 2009, on the human rights situation in the occupied Palestinian territories and East Jerusalem, and in January 2010, to promote the integration of a human rights approach in the recovery process in Haiti following the earthquake

[1] Available from http://www.ohchr.org/Documents/Press/SMP2010-2011.pdf. The strategic priorities of OHCHR are: (a) countering discrimination; (b) combating impunity and strengthening accountability, the rule of law and democratic societies; (c) pursuing economic, social and cultural rights and combating inequalities and poverty, including in the context of the economic, food and climate crises; (d) protecting human rights in the context of migration; (e) protecting human rights in situations of armed conflict, violence and insecurity; and (f) strengthening human rights mechanisms and the progressive development of international human rights law.

[2] General Assembly resolution 60/251, which established the Human Rights Council, provides that the Council shall review its methods of work and functioning five years after its establishment and report to the General Assembly. It is foreseen that the Assembly will review the status of the Council within five years.

that hit the country on 12 January. On 1 and 2 June, at its fourteenth session, the Council convened for the first time an urgent debate on "the grave attacks by Israeli forces against the humanitarian boat convoy" of 31 May and decided, in its resolution 14/1, to dispatch an independent international fact-finding mission to investigate violations of international law, including international humanitarian and human rights law, resulting from the attacks. The mission is to report its findings to the Council at the fifteenth session.

6. The ability to mobilize appropriate mechanisms to swiftly address emergency situations is of paramount importance to the Council for the fulfilment of its mandate. In that regard, the review by the Council of its working methods and functions in 2011 will be an opportunity for it to critically assess its role and potential in preventing and addressing critical situations and to devise meaningful, effective options to that end (see sect. D below). The actual protection of people on the ground should be the ultimate goal of the exercise.

7. The Council has continued to maximize the use of panel discussions on a broad range of human rights issues, including emerging ones. In addition to its annual discussion on women's rights and the right of the child, it held panel discussions on the human rights of migrants in detention centres; the impact of the global economic and financial crises on the universal realization and effective enjoyment of human rights; the United Nations declaration on human rights education and training; the human rights of persons with disabilities; the right to the truth; the adverse effects of the movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights; trafficking in persons; and the protection of journalists in armed conflict.

8. Increased interaction between the Office and the Council is essential for strengthening mutual understanding and identifying ways of making the best of our complementary mandates for the ultimate benefit of rights holders. I would highlight in this context the interactive dialogue on my annual report to the Council and the substantive updates I provide at other regular sessions, as well as my statements at the special sessions.

9. The Office has also continued to provide support to the Council's subsidiary bodies and mechanisms: the Advisory Committee, the Social Forum, the Expert Mechanism on the Rights of Indigenous Peoples, the Forum on Minority Issues, the Working Group on the Right to Development and the Durban follow-up mechanisms, through expertise, studies and technical support.

10. I wish to underline the Office's efforts to encourage greater participation and engagement of civil society, national human rights institutions and the United Nations system in the work of the Council, including by taking advantage of information technology. Maintaining and consolidating such inclusiveness should be key in the context of the Council review.

B. Universal periodic review

11. With the conclusion of the eighth session of the Universal Periodic Review Working Group in May 2010, the human rights records of 127 States have been reviewed. States have actively participated in the process and sent representatives, often at the ministerial level, to the sessions of the Working Group in Geneva. The

participation of representatives from 36 countries was supported by one of the two voluntary funds established to support the universal periodic review mechanism. In addition, the Office continued to provide information on the modalities of the mechanism through regional briefings and regular information sessions for representatives of permanent missions and other stakeholders in Geneva and New York.

12. Despite initial concerns about duplication, the complementary value of the universal periodic review with other human rights mechanisms has been widely recognized. Many universal periodic review recommendations formulated so far have been guided by observations, recommendations and conclusions of human rights treaty bodies, special procedures and the reports of OHCHR. This notable trend has prompted calls for human rights mechanisms to formulate more action-oriented recommendations.

13. Following their review, several Governments have amended legislation or practices and adopted new policies, programmes and measures aimed at improving the human rights situation in their country. It is essential that they remain committed to this process, which should be viewed as ongoing.

14. While the universal periodic review is a State-driven process, the involvement of all relevant stakeholders, including non-governmental organizations and national human rights institutions, is essential. The contribution of civil society organizations and national human rights institutions to the process has been significant overall, but the scope of participation has varied from State to State, and much progress remains to be achieved on this front.

15. The universal periodic review has also enhanced cooperation within the United Nations system. United Nations country teams, in collaboration with OHCHR field presences, have increasingly contributed to all stages of the universal periodic review process, advising States on how to prepare their reports on the basis of meaningful consultations with stakeholders. They have equally engaged with Governments, national human rights institutions and civil society after the review to assist, as appropriate and relevant, in following up on recommendations.

16. The first cycle of the universal periodic review will be completed in November 2011, when all 192 States Members of the United Nations will have been considered. Proposals aimed at improving the mechanism should be part of the review of the Council.

C. Special procedures

17. OHCHR has continued to actively support the special procedures of the Human Rights Council. States' full cooperation with special procedures is essential. Ongoing dialogue between mandate holders and Governments and other counterparts, country visits, monitoring and public reporting, outreach and accessibility to victims, including through hundreds of communications each year, are critical.

18. In 2009 there was an increase in standing invitations by States, which now total 68. Substantive replies to communications have been provided, but in view of a response rate of just over 30 per cent, I encourage further engagement. In the General Assembly and the Council, interactive dialogues with mandate holders have demonstrated a significant level of commitment by States to implement

recommendations of special procedures. However, both the Assembly and the Council could encourage intensified follow-up at the national, regional and international levels and exploit the wealth of expertise and outputs of the special procedures, especially in early warning, addressing urgent situations and finding appropriate responses to emerging trends that have a negative impact on human rights. This issue also deserves attention during the review of the Council.

19. Special procedures mandate holders participated in and contributed to special sessions and panels of the Human Rights Council and events during the General Assembly and Economic and Social Council sessions. They were also actively involved in the Forum on Minority Issues, the Expert Mechanism on the Rights of Indigenous Peoples and the Social Forum, worked with the Advisory Committee, and have contributed to the progressive development of international human rights law and concepts over the past year.

20. The Office continued to support the process for selecting new mandate holders and integrating them into the system through information sessions and guidance on policy and working methods. In addition to the 8 new mandate holders who took up their functions in 2009, 13 new mandate holders will have joined the system by the end of 2010. The Office supports the efforts of the experts and their Coordination Committee to engage constructively with States, to coordinate their approaches to human rights situations and to harmonize their working methods. The Office continues to work towards enhanced coordination and working methods and effective use of resources in supporting the special procedures.

21. Independence, integrity and expertise are the foundations of the special procedures system and have enabled mandate holders to fulfil their functions with impartiality and to engage with a wide range of actors. I am confident that the General Assembly and the Human Rights Council will seek to reinforce this independent status and maintain constructive dialogue with the special procedures.

D. Review of the Human Rights Council

22. The Council has embarked on a discussion of the process and modalities of the review of its work and functioning in accordance with General Assembly resolution 60/251 (para. 16). Substantive preparations are under way for the first session of the intergovernmental working group established pursuant to Council resolution 12/1 on the review of the work and functioning of the Council, which is to be held from 25 to 29 October 2010.

23. A key benchmark of success for the Council is its ability to weigh in on chronic and urgent human rights situations to make a difference on the ground. I have repeatedly called upon Member States to further expand the Council's toolbox of mechanisms, suggesting in particular more flexible formats of debate to allow it to promptly address violations wherever and whenever they occur.

24. The review of the status of the Council by the General Assembly presents an opportunity to address issues relating to the relationship between the Council and its parent body. Of particular interest in that regard is not only the question of the Council's reporting relationship vis-à-vis the Assembly, which remains unresolved, but also the manner in which its decisions are considered and endorsed by the Assembly and the level of financial resources that the Council should be able to

deploy. Recent experience has consistently revealed difficulties because of the Council's lack of authority to commit resources to new activities, mandates or bodies, which has direct implications for the Office. The implementation of a new mandate requires endorsement by the Assembly, which, however, considers the proposals of the Council only once a year, through the annual report. A possible solution would be the creation of a system whereby the Council would transmit its decisions and resolutions requiring urgent attention to the Assembly for action after each of its sessions.

III. Human rights treaty bodies

A. Developments

25. The number of treaty bodies has increased as new treaties have entered into force. The Committee for the Protection of All Persons from Enforced Disappearance will soon be the tenth treaty body. New instruments allowing individual complaints procedures are being created: the Optional Protocol to the Covenant on Economic, Social and Cultural Rights counts more than 30 signatures and recently received its first ratification, whereas an individual complaints procedure under the Committee on the Rights of the Child was discussed during the first meeting of an intergovernmental working group in December 2009. Lastly, because of an increased number of ratifications, the membership of three treaty bodies has expanded: the Committee on Migrant Workers, the Subcommittee on Prevention of Torture and the Committee on the Rights of Persons with Disabilities.

26. In 2009 and the first half of 2010, OHCHR assisted in the operationalization of the Committee on the Rights of Persons with Disabilities by organizing its sessions, assisting in the elaboration of rules of procedure and organizing, with the Department of Economic and Social Affairs, the conferences of States parties. The Committee has also begun to receive individual complaints under the Optional Protocol to the Convention.

27. OHCHR, together with the Department of Economic and Social Affairs, provides support to the Inter-Agency Support Group, which promotes the implementation of the Committee on the Rights of Persons with Disabilities and its Optional Protocol, at both the country and headquarters levels. The Group has developed guidelines for United Nations country teams on the Convention. This forum was also used to assess and improve the level of accessibility of persons with disabilities to the United Nations and the specialized agencies.

B. Progress in the harmonization of working methods

28. In June 2010, the Inter-Committee Meeting discussed the proposal of "lists of issues prior to reporting", a new optional reporting procedure adopted by the Committee against Torture and the Human Rights Committee, and made some recommendations in this regard. On 1 and 2 July, the twenty-second meeting of the chairpersons of the human rights treaty bodies was held in Brussels, with a view to bringing treaty bodies closer to regional organizations.

29. I note with satisfaction that following the adoption in 2009 of the Dublin Statement on the Process of Strengthening of the United Nations Human Rights Treaty Body System by a large group of current and former treaty body members, new initiatives are planned to reinforce the system. In June 2010, an international meeting of national human rights institutions adopted the Marrakech Statement, making proposals concerning enhanced interaction of national human rights institutions with the treaty bodies. Another consultation involving treaty body experts will take place in Poznan, Poland, in September 2010 in follow-up to the Dublin initiative.

IV. Work of the Office at the country level

A. Human rights presences at the country and regional levels

30. The promotion and protection of human rights at the country level is at the heart of the High Commissioner's mandate, as set out in General Assembly resolution 48/141, and constitutes a core objective of the Office's activities, both at Headquarters and in the field. During the reporting period, my Office has continued to further dialogue and work with Governments, national institutions, civil society organizations and regional organizations, as well as within the United Nations system, with a view to improving the promotion and protection of human rights at the country level and preventing human rights crises. Human rights field presences are the optimal tool for direct, sustainable and effective assistance and cooperation with national counterparts.

B. Developments

31. In July 2010, the Office was operating and supporting 56 field presences: 12 regional presences,[3] 12 offices at the country level,[4] 16 human rights components in United Nations peace missions,[5] and 16 human rights advisers with Unit d

[3] Including the OHCHR regional offices for Southern Africa (Pretoria), East Africa (Addis Ababa), West Africa (Dakar), South-East Asia (Bangkok), the Pacific (Suva), the Middle East (Beirut), Central Asia (Bishkek), Europe (Brussels), Central America (Panama City) and Latin America (Santiago), as well as the Subregional Centre for Human Rights and Democracy in Central Africa (Yaoundé) and the Human Rights Training and Documentation Centre for South-West Asia and the Arab Region (Doha).

[4] Country offices in Togo, Uganda, Guinea, Mauritania, Cambodia, Nepal, Bolivia, Colombia, Guatemala and Mexico, as well as two stand-alone presences in the Occupied Palestinian Territory and Kosovo.

[5] United Nations Integrated Office in Burundi, United Nations Peacebuilding Support Office in the Central African Republic, United Nations Mission in the Central African Republic and Chad, United Nations Organization Mission in the Democratic Republic of the Congo, United Nations Mission in the Sudan, African Union-United Nations Hybrid Operation in Darfur, United Nations Mission in Liberia, United Nations Integrated Peacebuilding Office in Sierra Leone, Political Office for Somalia, United Nations Operation in Côte d'Ivoire, United Nations Peacebuilding Support Office in Guinea-Bissau, United Nations Assistance Mission in Afghanistan, United Nations Integrated Mission in Timor-Leste, United Nations Assistance Mission for Iraq, United Nations Stabilization Mission in Haiti and United Nations Office for West Africa. In addition, OHCHR works in close cooperation with the Human Rights Officer of the United Nations Regional Centre for Preventive Diplomacy for Central Asia, based in Tajikistan.

Nations country teams.[6] In October 2009, I was pleased to open the OHCHR Regional Office for Europe. I signed agreements for the establishment of OHCHR country offices with the Government of Mauritania (September 2009) and with the Government of Guinea (May 2010). In September 2009, I signed an agreement with the Government of Chile establishing the OHCHR Regional Office for South America. Agreements with the Governments of Bolivia, Cambodia, Nepal, Uganda and Togo were extended, allowing us to build on the fruitful cooperation developed so far with the host Governments and other national stakeholders.

32. In 2009 and 2010, gender advisers were deployed in four OHCHR regional offices — for the Pacific, the Middle East, Central America and West Africa.

33. Field presences have been operationalizing the priorities of the strategic management plan for 2010-2011. In addition to the thematic work relevant to the context in which they operate, they systematically integrate follow-up to recommendations of treaty bodies and special procedures in their activities, and many have been actively engaged in providing technical support to Governments, national institutions, civil society, regional organizations and the United Nations system during the first cycle of the universal periodic review process.

C. Rapid-response capacity of the Office

34. The rapid-response capacity launched in 2006 to allow the Office to react swiftly to deteriorating human rights situations, including through prompt staff and expert deployment, has been significantly strengthened over the years and increasingly activated, including to support ad hoc independent international missions mandated by the Human Rights Council.

35. During the period under review, the Office established and provided support to a number of ad hoc independent fact-finding bodies through its rapid-response capacity. The United Nations Fact-Finding Mission on the Gaza Conflict, established pursuant to Human Rights Council resolution S-9/1, ended its work in October 2009 and submitted a report to the Council (A/HRC/12/48). The Commission of Inquiry for Guinea, established in October 2009 by the Secretary-General, submitted its report, which was transmitted to the Security Council by a letter dated 18 December 2009 (S/2009/693). In June 2010, a committee of three independent experts established by Human Rights Council resolution 13/9, following up on General Assembly resolutions 64/10 and 64/254, began its work to monitor Israeli and Palestinian investigations into the serious violations of international humanitarian and human rights law reported by the Fact-Finding Mission on the Gaza Conflict. In accordance with Council resolution 14/1, the President of the Council, on 23 July, appointed an independent international fact-finding mission to investigate violations of international law resulting from the attacks by Israeli forces against the humanitarian boat convoy.

36. In addition, the Office fielded rapid response missions or mobilized surge capacity in support of its own field presences and/or United Nations country teams:

[6] Located in the Great Lakes Region of Africa (Burundi), Guinea, Kenya, Niger, Rwanda, Papua New Guinea, Sri Lanka, Ecuador, Nicaragua, Albania, the Former Yugoslav Republic of Macedonia, Georgia (covering the southern Caucasus), the Republic of Moldova, the Russian Federation, Serbia and Tajikistan.

in Honduras following the coup d'état of June 2009; in Madagascar to provide technical assistance in the wake of the political crisis of the summer of 2009; in Gabon to monitor the human rights situation during the presidential elections of September 2009; in Iraq to temporarily assist the human rights component of the United Nations Assistance Mission for Iraq; in Haiti to assume the lead of the protection cluster dealing with the aftermath of the earthquake of January 2010 and to support the work of the Human Rights Section of the United Nations Stabilization Mission in Haiti; in Togo in February 2010 and in Guinea in June 2010 to monitor the human rights situation during the elections in those countries; and in Kyrgyzstan in the context of the violence in the southern provinces in June 2010.

D. National human rights institutions

37. In December 2009, the General Assembly, in its resolution 64/161, reaffirmed the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights, in accordance with the Paris Principles (see resolution 48/134, annex), recognizing their role in assisting Governments to ensure respect for human rights, including by contributing to actions in follow-up to recommendations resulting from international human rights mechanisms and the universal periodic review. OHCHR continued to advise Member States on the establishment and responsibilities of national human rights institutions and to provide technical assistance to those institutions and their regional networks to increase their compliance with the Paris Principles and build their capacity to effectively promote and protect human rights.

38. The Office remained active in consolidating partnerships to maximize support for national human rights institutions, particularly with the United Nations system and regional networks. Based on good practices, OHCHR and the United Nations Development Programme (UNDP) jointly developed a toolkit for United Nations country teams on planning, capacity assessments and identification of challenges and opportunities for national human rights institutions.

39. Furthermore, the Office continued to provide secretarial support to meetings of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights and its Subcommittee on Accreditation. The accreditation process has become increasingly rigorous and transparent. Out of 91 national human rights institutions reviewed and accredited by the Coordinating Committee, 67 enjoy "A" status.

E. Cooperation with regional and intergovernmental organizations

40. The Office has also continued to develop synergies with regional organizations, including between the United Nations human rights system and regional human rights systems. Beyond improving practices and information exchange, the aim of such cooperation is to explore opportunities for coordinated or joint action to address critical human rights issues.

41. The Office organized four regional consultations on enhancing cooperation between regional and international mechanisms for the promotion and protection of human rights in cooperation with the African Union, the Organization of American States, the Council of Europe and the Organization of the Islamic Conference. The

consultations culminated in an international workshop on regional human rights mechanisms, which was held in Geneva in May 2010, in accordance with Human Rights Council resolution 12/15. Upon reviewing lessons learned and good practices, participants identified areas for further progress and suggested a set of concrete proposals for institutionalized cooperation. The workshop recommended, inter alia, bilateral and multilateral meetings between regional and subregional human rights mechanisms to discuss specific topics or situations, including urgent situations, and jurisprudence and to consider possibilities for joint activities (see A/HRC/15/56).

42. Through its Regional Office for South-East Asia in Bangkok, the Office continued to provide support to the Association of Southeast Asian Nations (ASEAN) in the establishment and development of the ASEAN Intergovernmental Commission on Human Rights. It also supported the fifteenth workshop of the Framework on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region, hosted by the Government of Thailand in Bangkok in April 2010.

43. Through its Regional Office for East Africa in Addis Ababa, the Office maintained its partnership with the African Union on key human rights issues and initiatives. In the context of a global project on comprehensive support for the African Union in strengthening the promotion and protection of human rights in Africa, it provided assistance for the mainstreaming of human rights in policies and programmes of the African Union through the establishment of new mechanisms and the organization of conferences, training and support for peace processes. Over the past three years, the Office has operated within the African Union/United Nations 10-year capacity-building programme, conceived by the United Nations as its overall strategic framework for cooperation with the African Union. A milestone in the implementation of that programme was the signing of a memorandum of understanding with the Chair of the African Union Commission in February 2010. The Office's enhanced collaboration with the Inter-American Commission on Human Rights, particularly on citizen security and human rights, led to a joint publication on the issue by the Commission, the United Nations Children's Fund and OHCHR, with concrete recommendations on issues related to citizen security through public policies and other measures based on human rights.

F. Country missions

44. During the period under review, I conducted missions to the following countries: Spain, Ireland, Brazil, Central African Republic, Italy, Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates, Republic of Korea, Japan, Kenya, Uganda and Iceland. My Deputy visited Colombia, Kyrgyzstan, Mexico and Panama. Such visits are important opportunities to identify, analyse and raise human rights concerns as well as to witness progress and good practices, through open dialogue with Governments and other national and international counterparts on the ground. In addition to domestic matters, discussions consistently include issues of concern at the regional and global levels.

V. Thematic work

A. Human rights, including the right to development, and the Millennium Development Goals

45. The Office reinforced its efforts to highlight the human rights principles of non-discrimination, accountability, participation and empowerment in all phases of policymaking and implementation related to the Millennium Development Goals at both the national and international levels, especially leading up to the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals, to be held in September 2010.

46. In June 2010, a panel discussion on maternal mortality relevant to goal 5, which is the furthest from being realized, was organized in connection with my report to the Human Rights Council on preventable maternal mortality and morbidity and human rights (A/HRC/14/39). A joint cross-regional statement endorsed by 108 States invited me to present the report to the High-level Plenary Meeting. In July 2010, in New York, I chaired and co-hosted with the UNDP Administrator and Executive Director of the United Nations Population Fund (UNFPA), a round-table discussion on human rights: key to keeping the promise of 2015.

47. Realizing the right to development remained a priority and a cross-cutting theme for the Office. In response to General Assembly resolution 64/172, OHCHR undertook numerous activities aimed at enhancing the global partnership between Member States, development agencies and international development, financial and trade institutions in the quest for development for all peoples (see A/HRC/15/24).

48. The Office will continue its research, analysis and advocacy on the Millennium Development Goals and human rights at the global and national levels in order to better assist Member States and other stakeholders in meeting their international commitments relating to human rights and development. Particular attention will be paid to the development of training packages, budget monitoring and advocacy and sectoral and analytical tools in support of national efforts to integrate human rights within development and poverty reduction strategies based on the Millennium Development Goals and national policy and budget processes.

B. Fight against discrimination and promotion of equality

49. Progress made in the achievement of the Millennium Development Goals may be unsustainable if particular attention is not paid to patterns of discrimination and to ensuring equity and equality. In this regard, my Office has been providing technical assistance to States for the development of national action plans to counter racial discrimination in accordance with the Durban Declaration and Programme of Action. Also, in follow-up to the Durban Review Conference, the Office has provided advice on the collection and disaggregation of statistical data for developing policies against racism and racial discrimination. Furthermore, it serviced the 2010 session of the Working Group of Experts on People of African Descent, which examined structural discrimination in areas such as education, health and the administration of justice.

50. The Office has been paying increased attention to the situation of older persons. Together with the Department of Economic and Social Affairs, pursuant to General Assembly resolution 64/132, it convened an expert meeting in May 2010 and contributed to the forthcoming comprehensive report of the Secretary-General to the Assembly on the social situation, well-being, development and rights of older persons at the national and regional levels.

51. The Office has been facilitating consultations with indigenous peoples and providing guidance to Member States, United Nations country teams and other counterparts on how to use the Declaration on the Rights of Indigenous Peoples in order to ensure that the principles it contains are fully integrated into national laws, policies and programmes affecting indigenous peoples. It continued to facilitate enhanced cooperation among the United Nations mandates devoted to indigenous peoples' issues and contributed to the work of the Permanent Forum on Indigenous Issues.

52. The Office has also maintained its efforts to promote women's participation in decision-making processes, to promote and facilitate the removal of laws and public policies that discriminate against women and to advocate for adequate responsiveness to situations characterized by gender inequality and persistent violations of women's human rights in all spheres. I intend to work closely with the new United Nations Entity for Gender Equality and the Empowerment of Women, known as UN Women, established by the General Assembly in its resolution 64/289.

53. In February 2010, the Office moderated an online discussion on women and human rights to contribute to the 15-year review of the implementation of the Beijing Declaration and Platform for Action (1995) and the outcome of the twenty-third special session of the General Assembly (2000). The Office focused on the importance of ensuring accountability for violations of the rights of women, as well as women's access to justice. In the context of the review and during the fifty-fourth session of the Commission on the Status of Women, the Office organized an event with Equality Now on laws that discriminate against women, highlighting their far-reaching impact but also taking stock of measures adopted by States to eliminate such laws.

C. Economic, social and cultural rights

54. The Office strives to ensure that economic, social and cultural rights receive attention in global and national development agendas. In this context, in addition to having developed a number of thematic reports, publications and tools on economic, social and cultural rights, including through field offices, the Office has undertaken technical cooperation missions, provided input to legislative and policy reforms and conducted training and capacity-building workshops for a wide variety of stakeholders.

55. The Office has reinforced cooperation with the World Health Organization, UNFPA and the Joint United Nations Programme on HIV/AIDS (UNAIDS) to promote a human rights-based approach in health policies, including in relation to the prevention of tuberculosis, gender mainstreaming, preventable maternal mortality and morbidity, neglected tropical diseases, child and adolescent health, migrants' health and health action in complex emergencies.

56. OHCHR and UNAIDS collaborated to systematically promote the achievement of universal access to HIV prevention, treatment, care and support by 2010, in follow-up to the Political Declaration on HIV/AIDS adopted by the General Assembly in 2006 (see resolution 60/262). The Inter-Agency Standing Committee Task Force on HIV/AIDS in Emergency Settings, in which OHCHR actively participates, brings together a wide range of United Nations and non-United Nations partners to formulate and ensure effective humanitarian response in relation to HIV in complex emergencies and natural disasters. This group recently finalized Guidelines on HIV in humanitarian situations, which will be piloted in 2010.

57. I have continued to participate in the High-Level Task Force on the Global Food Security Crisis and advocated for the integration of the right to food and a human rights-based approach to its work.

D. Human rights in the context of migration and trafficking

58. The Office has increased its efforts to strengthen the protection of the human rights of migrants and to ensure that this objective is included in relevant discussions at the national, regional and global levels.

59. Through its active membership in the Global Migration Group, the Office has sought to mainstream human rights in the activities of the United Nations system on this issue. It has also continued to advocate for increased attention to the human rights dimension of migration within the Global Forum on Migration and Development.

60. In accordance with Human Rights Council resolution 12/6 on migration and the human rights of the child, the Office prepared a study on protecting the rights of the child in the context of migration (A/HRC/15/29). Based on consultations with various stakeholders, the study examines the challenges and best practices in implementing the international framework for the protection of the rights of the child in the context of migration.

61. In September 2009, at the request of the Human Rights Council (resolution 11/9), the Office contributed to a panel discussion on the human rights of migrants in detention centres, which addressed increasing concerns about the recourse by States to the administrative detention of migrants and to the duration and conditions of their detention.

62. The Office has worked to advance rights-based responses to trafficking in persons. Through seminars and publications, it has promoted good practices and the application of the Recommended Principles and Guidelines on Human Rights and Human Trafficking, including through an expert seminar for members of the Human Rights Council in May 2010. The important role of survivors of human trafficking in helping to shape more effective responses has been highlighted, including at a panel discussion of trafficking survivors at the fourteenth session of the Council (see decision 13/117) in June 2010, which followed a similar OHCHR side event at the General Assembly in October 2009. OHCHR contributed to the elaboration of the United Nations Global Plan of Action against Trafficking in Persons (see General Assembly resolution 64/293), which emphasizes a human rights-centred approach to combating human trafficking.

E. Accountability, the rule of law and democracy

63. With regard to the administration of justice, the Office maintained its engagement with and provided support to national legal systems and judiciaries, including through in-country training and seminars, for instance in Madagascar, the Russian Federation and Rwanda.

64. Within the United Nations system, the Office continued to play a leading role in efforts to combat impunity and strengthen accountability (including, as noted earlier, support for a number of fact-finding missions). It also provided assistance to the development of frameworks for witness protection and for the establishment of commissions of inquiry.

65. The Office worked closely with the Rule of Law Coordination and Resource Group to improve coordination on rule of law issues within the Organization and has deepened its collaboration in this area with various United Nations offices, programmes and departments. For instance, OHCHR and the Department of Peacekeeping Operations have collaborated on the development of indicators to assist Member States in identifying the strengths and weaknesses of law enforcement agencies, judicial systems and correctional services, drawing on administrative data, community perception and expert surveys. The indicators, which are to be finalized in late 2010, have been piloted in Haiti and Liberia.

66. The Office engaged in capacity-building and advising on transitional justice processes in several countries, which led to the elaboration of a guidance note by the Secretary-General on the United Nations approach to transitional justice, which provides a rights-based perspective on transitional justice and approaches for further strengthening United Nations activities in that sector.

67. As Chair of the Working Group on Protecting Human Rights While Countering Terrorism of the Counter-Terrorism Implementation Task Force, the Office provided advice on the obligations of States to protect human rights while countering terrorism. In my latest reports to the Human Rights Council on the subject (A/HRC/12/22 and A/HRC/13/36), I addressed accountability for serious violations of human rights in the context of counter-terrorism, the right of victims to remedy and reparations and the impact of terrorism and counter-terrorism measures on the enjoyment of economic, social and cultural rights. In October 2009, I briefed the Counter-Terrorism Committee of the Security Council on human rights issues and underlined the role it could play in placing the rule of law and human rights at the core of the fight against terrorism.

68. The Office also continued to play an active role in anchoring the work of the United Nations on democracy in human rights standards, including as Chair of the Consultative Group of the United Nations Democracy Fund and as a member of the Democracy Working Group of the Executive Committee on Peace and Security.

F. Human rights in situations of armed conflict, violence and insecurity

69. The Office has continued to focus on strengthening respect for human rights in conflict and post-conflict situations and on integrating human rights in the maintenance of peace and security. At the request of the Human Rights Council, an expert meeting was organized to discuss the experience of various human rights

mechanisms in the implementation of human rights in situations of armed conflict (April 2009), along with an expert workshop on the right of peoples to peace, to examine the relationship between peace and human rights (December 2009).

70. The Office has actively engaged in efforts to enhance the capacity of United Nations peace operations to effectively implement mandates for the protection of civilians, both at headquarters and in the field, including by contributing to the operational concept on the protection of civilians in United Nations peacekeeping operations, emphasizing that protection requires conceptual clarity and solid grounding in international human rights law. OHCHR also supported the formulation of guidance on the development of mission-wide protection strategies, drawing on practical experience in the Sudan and the Democratic Republic of the Congo and pointing to the central protection role that can be played by robust and well-resourced human rights components.

71. The Deputy High Commissioner briefed the Security Council on the protection of civilians in armed conflict in November 2009, and I did so in July 2010. On both occasions, we welcomed the opportunity to engage in an ongoing dialogue with the Council on this critical goal. We emphasized that the protection of civilians relies on the accountability of those who commit war crimes, crimes against humanity and gross human rights violations. I urged the Council to continue to pay attention to ending impunity and encouraged greater and more effective use of commissions of inquiry.

72. My Office remained involved in the activities of United Nations Action against Sexual Violence in Conflict, served as Chair of the related multi-donor trust fund and is an active participant in inter-agency mechanisms dedicated to women's rights and gender equality issues. The Office contributed to United Nations support for the work of the Security Council on women, peace and security and on sexual violence in conflict, including through the development of global indicators for the effective monitoring of the implementation of Security Council resolution 1325 (2000). In November 2009, the Steering Committee of United Nations Action against Sexual Violence in Conflict requested the Department of Peacekeeping Operations, OHCHR and UNDP to co-lead the establishment of a team of experts provided for in Council resolution 1888 (2009) on sexual violence in situations of armed conflict.

73. In early 2010, the Office initiated a project to assess the functioning of existing mechanisms for remedies and reparations for victims of sexual violence in the Democratic Republic of the Congo. The project provides for an assessment by a panel of experts who will conduct hearings with victims, witnesses and other relevant interlocutors, including Government representatives, United Nations entities and civil society. The panel will develop a set of recommendations to address deficiencies in existing mechanisms and/or establish new mechanisms for providing reparations to victims of sexual violence.

G. Human rights education and training

74. The Office implements human rights education and training programmes and provides assistance to Governments, institutions and civil society in that area.[7] Since the previous report, the Office has continued to develop effective human rights education and training methodologies based on best practices. It has published, together with the Organization for Security and Cooperation in Europe, the Council of Europe and the United Nations Educational, Scientific and Cultural Organization *Human Rights Education in the School Systems of Europe, Central Asia and North America: A Compendium of Good Practice*. From 2008 to 2010, through the "assisting communities together" project, OHCHR supported 95 grass-roots human rights education and training projects in 28 countries.

75. The Office has also continued to coordinate the World Programme for Human Rights Education. The evaluation report of the first phase of the Programme (2005-2009), which focused on human rights education in the school system, will be submitted to the General Assembly at its sixty-fifth session. The draft plan of action for the second phase (2010-2014), focusing on human rights in higher education and on human rights training for teachers and educators, civil servants, law enforcement officials and military personnel, will be submitted to the Human Rights Council at its fifteenth session, in September 2010 (A/HRC/15/28).

76. OHCHR is also facilitating the Human Rights Council's initiative, led by its cross-regional governmental Platform for Human Rights Education and Training, to develop a United Nations declaration on human rights education and training.

VI. Mainstreaming human rights and enhancing partnerships

A. Mainstreaming human rights in the United Nations system

77. Mainstreaming human rights in the United Nations system has been central to United Nations reform initiatives since 1997 and remains a priority for the Office. In line with the political commitment of world leaders at the 2005 World Summit, the Office has intensified its contributions to system-wide support for United Nations resident coordinators and country teams, including through the United Nations Development Group's new human rights mainstreaming mechanism. The objective of this new mechanism is to strengthen partnerships between United Nations agencies on human rights and development challenges and enable more coherent, coordinated and effective system-wide responses to country needs. The Office has also actively contributed to the policy work of the United Nations System Chief Executives Board for Coordination and its High-Level Committee on Programmes to mainstream human rights into the United Nations responses to the global financial, food and climate change crises and in preparation for the high-level meeting on the Millennium Development Goals.

78. At the country level, the piloting of the "Delivering as One" project has demonstrated that United Nations common programming can be a strategic vehicle for the promotion and protection of human rights. The capacity of the United

[7] More information is available from http://www2.ohchr.org/english/issues/education/training/index.htm.

Nations and Governments to mainstream human rights in development programming has been enhanced through targeted training and technical advice, support for human rights theme groups and similar coordination mechanisms within United Nations country teams. The deployment of human rights advisers at the request of United Nations country teams has also remained instrumental for human rights mainstreaming.

B. Human rights in peace and security

79. The Office continued to consolidate cooperation with the Department of Peacekeeping Operations, the Department of Political Affairs and the Department of Field Support in order to reinforce the integration of human rights in United Nations peacekeeping and special political missions. A key initiative undertaken during the reporting period was a joint review by OHCHR and the Department of Political Affairs to assess good practices and challenges in integrating human rights in Department of Political Affairs-led field missions and to inform future cooperation relating to field missions with human rights components.

80. The Office participated regularly in mission planning, including through technical assessment missions led by the Department of Peacekeeping Operations in the Democratic Republic of the Congo, Timor-Leste and Côte d'Ivoire, and a Department of Political Affairs-led integrated strategic framework support mission to the United Nations Political Office for Somalia. The Office is engaged on an ongoing basis in interdepartmental and inter-agency mechanisms overseeing the implementation of the integrated mission planning process at the working and senior levels.

81. The Office contributed regularly to the development of policy and operational guidance related to peace missions to ensure the inclusion of a human rights perspective, including headquarters and field guidelines on the implementation of the integrated mission planning process, interim standard operating procedures on detention in United Nations peace operations and training programmes for peacekeepers. As part of its efforts to strengthen cooperation with uniformed personnel in peace operations, the Office convened a workshop bringing together representatives of human rights, police and military components from nine peace operations to discuss good practices and ways forward to further integrate human rights into the work of uniformed components.

82. The Office continued to provide substantive and human resources support to human rights components of peace missions, including ensuring the quality of human rights specialists serving in or applying to missions, delivering professional training to human rights staff and deploying staff to assist missions. It has continued to work in partnership with the Department of Field Support on the rostering and selection of candidates for the human rights components of peace missions. OHCHR also designed tools for the assessment of the technical competencies of candidates for the human rights roster and, as part of expert panels, participated in the evaluation of more than 240 candidates.

C. Human rights in the context of humanitarian action

83. In the area of humanitarian action, the Office's primary focus in inter-agency strategic, policy and standard-setting work remained with the Executive Committee for Humanitarian Affairs, the Inter-Agency Standing Committee and its Protection Cluster Working Group. For example, OHCHR continues to be involved in the Inter-Agency Standing Committee Sub-Working Group on Preparedness and Contingency Planning, ensuring that human rights concerns are routinely raised in relation to more than 20 humanitarian emergencies, thereby integrating human rights analysis and concerns in humanitarian preparedness and contingency planning. Through its engagement in such forums, the Office was also involved in the development of various tools and guidance material, including the training programmes for humanitarian and resident coordinators on legal frameworks led by the Office for the Coordination of Humanitarian Affairs, operational guidelines on protection in natural disasters and the Handbook for the Protection of Internally Displaced Persons. As co-leader of the Sub-Working Group on Rule of Law and Access to Justice, the Office organized an expert meeting on the protection of non-governmental organizations in complex emergencies.

84. Operationally, the Office continues to extend support and guidance to human rights field presences in the context of humanitarian emergencies, particularly where they play a leading role in protection clusters, including in Haiti, Nepal, the Occupied Palestinian Territory and Kyrgyzstan. Such support includes the fielding of missions to assist OHCHR field presences in their involvement in inter-agency protection efforts.

VII. Conclusion

85. The inherent necessity of human rights protection and integration in governance, development, humanitarian assistance and reconstruction was again illustrated throughout the year. While the protection of human rights is first and foremost the responsibility of States, a cooperative global effort in the face of daunting challenges, such as conflict, natural calamities, democratic deficits, impunity, poverty and discrimination, is also increasingly required.

86. As emphasized throughout the present report, effective and sustainable protection, through the provision of support to international human rights mechanisms, the activities of human rights field presences and partnerships and the advocacy of the High Commissioner, is the fundamental objective of the work of OHCHR. It should also be the primary concern of the Human Rights Council and of Member States in general, when confronted with issues of global significance or critical country situations. This should be reflected in the commitments, decisions and actions of Member States. I therefore urge that the momentum of the upcoming review of the Human Rights Council and the high-level meeting on the Millennium Development Goals be fully used.

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